

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

QUANDARIS FORD,)	
)	
Plaintiff,)	
)	
v.)	Case No. CV414-056
)	
CAROLYN COLVIN,)	
<i>Commissioner of Social Security,</i>)	
)	
Defendant.)	

ORDER

Presently before the undersigned is the Commissioner's Fed. R. Civ. P. 12(e) motion for a more definite statement. (Doc. 9.) Although it stands unopposed by operation of S.D. Ga. LR 7.5, it is still denied.

The Commissioner represents that plaintiff Quandaris Ford's complaint violates Fed. R. Civ. P. 8 by failing to provide fair notice of his claim and the grounds upon which it rests. (Doc. 9 at 2 (quoting *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007)).) To the contrary, the complaint explicitly seeks review of a denial of Social Security benefits.

Ford has even attached the “notice of appeals council action” denying review of the Administrative Law Judge’s decision denying benefits. (Doc. 1-1 at 6, 9.) Clearly, plaintiff seeks review under 42 U.S.C. § 405(g) of the decision denying benefits. He has explicitly stated that the Commissioner’s decision denying him benefits was “without substantial evidence.” (Doc. 1 at 3.)

For that matter, the Commissioner has regularly accepted two-page complaints stating, simply, that the plaintiff has exhausted administrative remedies and challenges the Commissioner’s decision for lack of substantial evidence. *See, e.g., Bailey v. Colvin*, No. CV413-202, doc. 1 (S.D. Ga. Sept. 5, 2013). If anything, *this* complaint, taken along with its attachments, is better than the average social security complaint that the Court receives.

Finally, the Court long ago devised a briefing scheme that is triggered upon the Commissioner’s filing of an answer. Within that briefing cycle plaintiffs normally clarify their grounds for relief. The Court sees no reason to depart from that practice now by ordering Ford to re-cast his complaint prior to reaching the briefing stage. The

Commissioner's motion for a more definite statement (doc. 9) is therefore
DENIED.

SO ORDERED this 29th day of October, 2014.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA